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December 4, 2005

Commissioner for Patents
Box: 1450
Alexandria, VA 22313-1450

RE: APPLICATION OF JOHS ET AL. TITLED "DISCRETE POLARIZATION STATE SPECTROSCOPIC ELLIPSOMETER SYSTEM, AND METHOD OF USE":
SERIAL NO. 10/613,118;
FILE DATE: 07/07/2003;
ART UNIT: 2877;
EXAMINER: PHAM.

Dear Sir;

I am in receipt of a Notice of Restriction dated 11/30/05, regarding the identified Application.

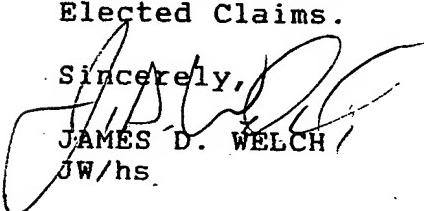
The Examiner has identified Claim Groups:

1-28 and 30; and
29;

and required an election and designation of a Species.

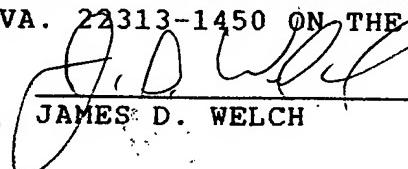
Applicant Provisionally Elects Claims 1 - 28 and 30, and elects Figs. 3d and 1b as the Species. The Election is Traversed as Claim 29 recites the structure of Fig. 3d, as do the Elected Claims.

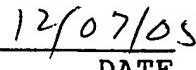
Sincerely,


JAMES D. WELCH
JW/hs

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS TRANSMITTAL IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE FOR FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, BOX: 1450, ALEXANDRIA VA. 22313-1450 ON THE DATE INDICATED BELOW.


JAMES D. WELCH


12/07/05
DATE